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BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

*Re: Petition for Declaratory Ruling Asking To Clarify the Scope of Section 337
Regarding Use by State or Local Government Entities of the 700 MHz
Public Safety Broadband Spectrum, PS Docket No. 06-229*

Dear Secretary Dortch:

This reply comment is submitted by Miami-Dade County in response to the *Public Notice*¹ seeking comment on the City of Charlotte's *Request for Declaratory Ruling*² to clarify the scope of services permitted over the public safety broadband spectrum by public safety broadband waiver entities. Miami-Dade County believes the Commission should issue a declaratory ruling, as requested by the City of Charlotte, clarifying that entities who are found to be eligible to access the 700 MHz public safety broadband spectrum are permitted to allow shared use of the 700 MHz broadband spectrum by governmental personnel including, but not limited to, those engaged directly in police, fire and medical emergency activities. Additionally, the Commission should interpret "governmental personnel" to include employees of entities included under Section 337(f)(B). This interpretation should apply not only to current and future waiver entities, but should apply to all future users of the public safety broadband spectrum.

Miami-Dade County believes that a narrow interpretation of permissible services under Section 337 would limit the public safety community in their efforts to establish beneficial

¹ Public Notice, *Public Safety and Homeland Security Bureau Seeks Comment on Petition for Declaratory Ruling Asking To Clarify the Scope of Section 337 Regarding Use by State or Local Government Entities for the 700 MHz Public Safety Broadband Spectrum*, DA 11-537 (Mar. 22, 2011).

² *Request for Declaratory Ruling*, PS Docket No. 06-229 (Mar. 7, 2011) ("Petition").

partnerships and respond to a varied set of emergencies requiring assistance from a diverse set of government agencies.

Much like other governmental entities, the County of Miami-Dade depends upon an integrated, multi-agency radio system that is important during planned events and natural disasters. Because the Super Bowl is classified as a National Special Security Event, it was crucial during Super Bowl XLI in 2007 and Super Bowl XLIV in 2010 that Miami, as the host city, provide a secure and efficient venue. To accomplish this, County agencies such as Public Works, Traffic, and Engineering communicated with each other and public safety agencies over a common network to coordinate their activities. In 2005, in preparation and response to Hurricane Katrina, these same County agencies, including Emergency Management, became "first responders" and relied upon this critical communications network, especially as the hurricane passed through the County. There is precedence set by the Commission with regard to broader use of public safety spectrum. As noted by the City of Charlotte in their petition, the Commission issued authorization to transit districts and airport authorities for 700MHZ narrowband spectrum.

In addition to improving public safety effectiveness and efficiency, a broader interpretation of permissible services will allow the costs of these networks to be spread across many more users, making it a more viable economic model for these vital networks.

Accordingly, the Commission should allow authorized users the discretion and flexibility to determine what services are appropriate for their network to support public safety operations. Public safety entities must be provided the ability to manage their own internal communications. Miami-Dade County urges the Commission to adopt the position set forth in the petition by the City of Charlotte, permitting public safety entities the flexibility to grant all government entities access to public safety broadband networks.

Sincerely,



Felix Perez, Director
Enterprise Technology Services Department
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Miami-Dade County